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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 09-0389 JSW
)	
Plaintiff,)	
)	
v.)	STIPULATION AND PROPOSED ORDER
)	CHANGING HEARING DATE AND
NOEL GILLET,)	EXTENDING RULE 5.1 DEADLINES
)	
Defendant.)	
_____)	

On April 1, 2009, the parties in this case appeared before the Court for the defendant's initial appearance on a Complaint. On April 7, 2009, the parties appeared once again for a detention hearing, at which time the defendant waived a detention hearing, subject to a reservation of his right to seek release from detention at a later time. At that hearing, the Court set the date for a Preliminary Hearing or Arraignment for April 15, 2009, at 9:30 a.m.

Counsel for the defendant is currently in trial, and is unavailable on April 15, 2009. To ensure continuity of counsel, the parties respectfully request that the date for the defendant's Preliminary Hearing or Arraignment be rescheduled for April 17, 2009, at 9:30 a.m. The parties

1 further request that pursuant to Federal Rule of Criminal Procedure ("FRCP") 5.1(d), the time
2 limits set forth in FRCP 5.1(c) be extended through April 17, 2009. The parties agree and
3 submit that, taking into account the public interest in prompt disposition of criminal cases, good
4 cause exists for this brief extension.

5
6 SO STIPULATED:

7 JOSEPH P. RUSSONIELLO
United States Attorney

8
9 DATED: April 14, 2009

10 /s/
KEVIN J. BARRY
Assistant United States Attorney

11
12 DATED: April 14, 2009

13 /s/
LOREN G. STEWART
Attorney for NOEL GILLET

14
15 ~~PROPOSED~~ ORDER

16 To ensure continuity of counsel, the Court finds good cause to change the hearing date
17 for the defendant's Preliminary Hearing or Arraignment from April 15, 2009, at 9:30 a.m. to
18 April 17, 2009, at 9:30 a.m. The Court also finds good cause under Federal Rule of Criminal
19 Procedure ("FRCP") 5.1(d) to extend the time limits set forth in FRCP 5.1(c) through April 17,
20 2009. .

21
22 IT IS SO ORDERED.

23
24 DATED: April 15, 2009

25 
THE HONORABLE BERNARD ZIMMERMAN
United States Magistrate Judge